

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

---

ADAM TIMOTHY HAYS,

Plaintiff,

v.

ORDER

CHIPPEWA COUNTY,  
WEST CENTRAL DRUG TASK FORCE,  
and PROBATION OFFICE,

23-cv-300-jdp

Defendants.

---

ADAM TIMOTHY HAYS,

Plaintiff,

v.

ORDER

CHIPPEWA COUNTY,  
WEST CENTRAL DRUG TASK FORCE,  
and PROBATION OFFICE,

23-cv-343-jdp

Defendants.

---

Plaintiff Adam Hays, appearing pro se, is currently incarcerated at Dodge Correctional Institution. Hays has filed these two lawsuits about his arrest and confinement at the Chippewa County Jail. He filed Case No. 23-cv-300-jdp in this court and Case No. 23-cv-343-jdp in the United States District Court for the Northern District of Indiana, which transferred it here. There isn't any reason for Hays to have two virtually identical complaints open. I will dismiss the '343 case.

In the '300 case, Hays has filed motions to waive his \$7.83 initial partial payment of the filing fee because he currently has no funds; he alternately asks to have the fee taken out of his judgment after he wins. Dkts. 10 and 11. But this court must follow the fee provisions

of 28 U.S.C. § 1915, under which plaintiff's initial partial payment was calculated given the financial information he provided for the six months preceding his filing of the case. The fact that he spent funds on canteen and other purchases is not a reason to reconsider the initial partial payment amount. If Hays fails to pay the fee by the June 27 deadline previously set, the court will consider him to have voluntarily withdrawn the lawsuit, and he won't owe the filing fee for it. If he refiles the case later, the court will reconsider his request for in forma pauperis status based on his account information for the six months preceding his new complaint.

Hays also seeks recruitment of counsel and to send his complaint to law enforcement. But Hays does not need counsel for the current stage of these proceedings. If he wants law enforcement to consider his allegations, he should write directly to them.

#### ORDER

IT IS ORDERED that:

1. Case No. 23-cv-343-jdp is DISMISSED.
2. Plaintiff's motions to waive the filing fee in Case No. 23-cv-300-jdp, Dkts. 10 and 11, are DENIED.
3. Plaintiff's motions for appointment of counsel, Dkts. 10 and 11, are DENIED.

Entered June 26, 2023.

BY THE COURT:

/s/

---

JAMES D. PETERSON  
District Judge